

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA

v.

No. 1:14-mj-26-SM

**ALMAROOF YUSUF,
RAHEEM YUSUF,
CHIEMEKA IHEBOM, and
RODRIGUE PAYEN**

**ASSENTED-TO MOTION TO CONTINUE AND EXTEND INDICTMENT DEADLINE
30 DAYS, TO JULY 11, 2014, PURSUANT TO 18 U.S.C. § 3161(h)(8)(A)**

The United States of America, with the explicit assent of the defendants, through defense counsel, respectfully requests a continuance and extension of the period within which to return an indictment in this matter for thirty (30) days to **July 11, 2014**, pursuant to 18 U.S.C. § 3161(h)(8)(A). As grounds for this motion, the government asserts the following:

1. The defendants were charged by Criminal Complaint. Initial appearances pursuant to Fed. R. Crim. P. 5 were held on February 12, 2014.
2. The government and the defendants are presently discussing the possible disposition of this case by pre-indictment plea agreement, which the parties believe may be in their mutual interest. Under the terms of the Speedy Trial Act, this case must be indicted 30 days from the date of the initial appearance, plus any excludable time. See 18 U.S.C. § 3161(b).
3. It is the position of the parties that the ends of justice will be best served by this continuance in that it will allow the parties additional time in which to attempt to arrange a pre-indictment disposition of this matter, thereby conserving judicial, grand jury, defense and governmental resources. It is the position of the parties that the interests of justice served by the requested continuance outweigh the interests of the defendant and the public in a speedy indictment.

4. The parties further request that the Court enter an order excluding the time period from the date of the initial appearance, February 12, 2014 through **July 11, 2014**, from the Speedy Trial Act calculations with respect to this case.

5. Counsel for all defendants assent to the granting of this motion.

WHEREFORE, for the foregoing reasons, the undersigned respectfully requests that this Honorable Court:

- A. Grant a continuance of the period within which to return an indictment in this matter for 30 days to **July 11, 2014**, in the interests of justice; and,
- B. Exclude time from the Speedy Trial Act calculations as requested above.

Dated: June 13, 2014

Respectfully submitted,

John P. Kacavas
United States Attorney

By: /s/ Arnold H. Huftalen
Assistant U.S. Attorney
53 Pleasant St., 4th Floor
Concord, NH 03301
(603) 225-1552
arnold.huftalen@usdoj.gov

CERTIFICATE OF ASSENT & CONCURRENCE

I certify that the defendants, through defense counsel, assent to the relief sought. I further certify that a copy of this Motion is being served upon all defense counsel via ECF filing notice this date, June 13, 2014.

/s/ Arnold H. Huftalen
Assistant U.S. Attorney